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In re Application of :
MASUMOTO et al. :
Application No.: 10/510,049 : DECISION
PCT No.: PCT/JP03/04161 :
Int. Filing Date: 31 March 2003 :
Priority Date: 01 April 2002 :
Attorney Docket No.: 0074/044001 :
For: IMAGE REPRODUCTION DEVICE AND :
IMAGE REPRODUCTION METHOD :

This decision is in response to applicant's "REQUEST FOR REFUND" filed in the United States Patent and Trademark Office (USPTO) on 08 January 2008.

BACKGROUND

On 31 March 2003, applicant filed international application PCT/JP03/04161, which designated the U.S. and claimed a priority date of 01 April 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 09 October 2003. The thirty-month period for paying the basic national fee in the United States expired at midnight on 01 October 2004.

On 01 October 2004, applicant filed, *inter alia*, a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 13 May 2005, the United States Designated/Elected Office (DO/EO/US) mailed a NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495, according to the application a 35 U.S.C. 371 date of 01 October 2004.

On 20 October 2006, applicant filed the instant "REQUEST FOR REFUND".

DISCUSSION

The request for refund requests a refund of \$1,050 charged on 01 November 2007. A review of the application file reveals that the credit card payment on that date of \$1,050 was applied as a fee for a three-month extension of time and the Deposit Account was charged the same amount for independent claims in excess of three. Because no extension of time was required, \$1,050 will be credited to the credit card.

CONCLUSION

The request for refund under 37 CFR 1.26 is **GRANTED** for the reasons set forth above.

/Daniel Stemmer/

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